



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JMM:SK  
F. #2013R00948

*610 Federal Plaza  
Central Islip, New York 11722*

October 2, 2014

**By FedEx & ECF**

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Re: United States v. Philip Kenner & Tommy C. Constantine  
Criminal Docket No. 13-607 (JFB)

Dear Counsel:

The government writes to address certain requests regarding discovery in this matter.

At Kenner's request, the government identified several documents containing forged signatures (bates-numbered DOC 1-14). Kenner has requested an opportunity to review the original versions of these documents. The government has conducted a search of its records and notes that its own versions of the foregoing documents are duplicates, identical to the copies provided to the defense. The government will make its own versions of DOC 1-14 available for inspection at the next status conference in this matter. Kenner has also requested a copy of any expert report pertaining to the authenticity of the signatures on the foregoing documents. At this time, the government does not have any such report in its possession. The government expects to establish that the foregoing documents contain forged signatures through the witness testimony of the purported signatories. The government will identify additional documents containing forged signatures as they become known and available.

Kenner notes that the records produced as HARVEY DISK 1-4 do not include the banking records of LOR Management S.A de C.V, Porpiedades de DDM S.A. de C.V, or LMJ Management, LLC, and suggests that the foregoing banking records were overlooked in the copying process. The government has conducted further investigation and notes that the foregoing banking records were not overlooked in the copying process and were not provided to the government by legal counsel for Kenneth Jowdy. The government also notes, for the defense's convenience, that banking records related to LMJ Management were provided to the defense as BNK-TD 1410-1578.

Finally, enclosed please find additional discovery provided by the government in accordance with Rule 16 of the Federal Rules of Criminal Procedure, consisting of documents provided by Kenner to John Doe 14 (bates-numbered ED 2617-3237).

The government will continue to provide discovery. Please contact me or AUSA James Miskiewicz if you have any questions or requests.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney

By: /s/Saritha Komatireddy  
Saritha Komatireddy  
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Enclosures

cc: Clerk of the Court (JFB) (by ECF) (without enclosures)